

HUB LAW OFFICES  
Ford Greene, Esquire  
California State Bar No. 107601  
711 Sir Francis Drake Boulevard  
San Anselmo, California 94960-1949  
Telephone: (415) 258-0360

Attorney for Defendant  
GERALD ARMSTRONG

RECEIVED

MAR 3 1992

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*not filed,  
as moot  
Ha*

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY )  
INTERNATIONAL, a California )  
not-for-profit religious )  
corporation; )

Plaintiffs, )

vs. )

GERALD ARMSTRONG; DOES 1 )  
through 25, inclusive, )

Defendants. )

No. 152 229

DECLARATION RE: NOTICE OF EX  
PARTE APPLICATION FOR ORDER  
ALLOWING FILING OF BRIEF IN  
EXCESS OF 15 PAGE LIMIT  
IMPOSED BY MCR 2.2 (c); ORDER

Date: March 3, 1992  
Time: 1:30 p.m.  
Dept: 4  
Trial Date: None  
Arbitration Date: None

I, FORD GREENE, declare:

1. I am counsel for GERALD ARMSTRONG, defendant in the  
within action.

2. I have given notice of the present application for an ex  
parte order to Counsel for plaintiff in the following manner:

(a) By telephone on March 2, 1992, I personally spoke with  
and advised Andrew H. Wilson, counsel for plaintiff, and advised  
him that it was my intention to apply, ex parte, for an Order  
allowing defendant to file a memorandum in excess of 15 pages in  
opposition to plaintiff's order to show cause re preliminary

ORIGINAL

1 injunction.

2 3. I received the following response to said notice: Mr.  
3 Wilson advised me that there was no objection to the Court issuing  
4 such an order.

5 4. The reasons such an order is necessary are as follows:

6 a. On February 4, 1992, plaintiff obtained such an  
7 order with respect to its filing a memorandum in support of its  
8 order to show cause re preliminary injunction;

9 b. Since the hearing on the order to show cause is set  
10 for March 6, 1992, Code of Civil Procedure section 527 requires  
11 defendant's opposition papers to be filed and served on or before  
12 March 4, 1992;

13 c. Plaintiff has made serious accusations regarding  
14 defendant ARMSTRONG which span a number of years and raise a  
15 number of significant legal issues including, but not limited to,  
16 the following:

17 ▶ Provisions of the settlement agreement violate  
18 public policy because they obstruct justice by setting up a  
19 collusive appeal, set up the manipulation and suppression of  
20 evidence in cases adverse to Scientology, and caused the  
21 suppression of judicially credible facts;

22 ▶ The intended effect of the settlement  
23 agreement is to allow plaintiff to lie about ARMSTRONG in judicial  
24 proceedings on one hand, while entitling it to sue him if he were  
25 to respond, on the other;

26 ▶ Were this Court to grant the injunctive relief  
27 sought by plaintiff, such would constitute a prior restraint on  
28 ARMSTRONG's First Amendment Right to Free Speech, and perpetrate a

1 fraud on this and other Courts.

2 I declare under penalty of perjury pursuant to the laws of  
3 the State of California that the foregoing is true and correct.

4 Executed this March 3, 1992, at San Anselmo, California.

5   
6 FORD GREENE

7  
8  
9 **MEMORANDUM OF POINTS AND AUTHORITIES**  
10 **IN SUPPORT OF EX PARTE MOTION FOR ORDER ALLOWING**  
11 **FILING OF MEMORANDUM IN EXCESS OF 15 PAGES**

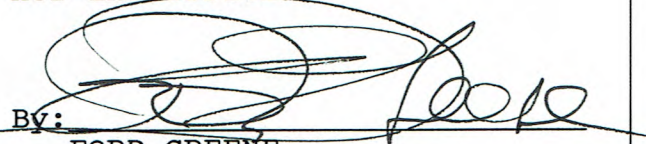
12 Marin County Superior Court Rule 2.2 (c) requires prior  
13 judicial authorization, which may be obtained ex parte, upon a  
14 showing of good cause, provided that the application is made prior  
15 to the date the memorandum is to be filed.

16 As set forth in the declaration of counsel, above, there is  
17 good cause for the Court to grant this ex parte application.

18 Respectfully submitted;

19 DATED: March 3, 1992

20 HUB LAW OFFICES

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22 By: FORD GREENE  
23 Attorney for Defendant  
24 GERALD ARMSTRONG  
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ORDER

Defendant ARMSTRONG may file a memorandum in opposition to plaintiff order to show cause re: preliminary injunction that is in excess of 15 pages.

DATE:

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Judge of the Superior Court

PROOF OF SERVICE

I am employed in the County of Marin, State of California. I am over the age of eighteen years and am not a party to the above entitled action. My business address is 711 Sir Francis Drake Boulevard, San Anselmo, California. I served the following documents: DECLARATION RE: NOTICE OF EX PARTE APPLICATION FOR ORDER ALLOWING FILING OF BRIEF IN EXCESS OF 15 PAGE LIMIT IMPOSED BY MCR 2.2 (c); ORDER on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California:

Andrew H. Wilson  
WILSON, RYAN & CAMPILONGO  
235 Montgomery Street, Suite 450  
San Francisco, California 94104

Graham E. Berry, Esquire  
LEWIS, D'AMATO, BRISBOIS & BISGAARD  
221 North Figueroa Street. Suite 1200  
Los Angeles, California 90012

|     |                   |                                                                                                                              |
|-----|-------------------|------------------------------------------------------------------------------------------------------------------------------|
| [ ] | (By Mail)         | I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California. |
| [X] | Personal Service) | I caused such envelope to be delivered by hand to Andrew H. Wilson and Graham E. Berry.                                      |
| [X] | (State)           | I declare under penalty of perjury under the laws of the State of California that the above is true and correct.             |
| [ ] | (Federal)         | I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.     |

DATED: March 3, 1992